

NOTE: The President spoke at 10:37 a.m. in Room 450 of the Old Executive Office Building. H.R. 927, approved March 12, was assigned Public Law No. 104-114.

Statement on Signing the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

March 12, 1996

Today I have signed into law H.R. 927, the “Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.” This Act is a justified response to the Cuban government’s unjustified, unlawful attack on two unarmed U.S. civilian aircraft that left three U.S. citizens and one U.S. resident dead. The Act imposes additional sanctions on the Cuban regime, mandates the preparation of a plan for U.S. assistance to transitional and democratically elected Cuban governments, creates a cause of action enabling U.S. nationals to sue those who expropriate or “traffic” in expropriated properties in Cuba, and denies such traffickers entry into the United States. It is a clear statement of our determination to respond to attacks on U.S. nationals and of our continued commitment to stand by the Cuban people in their peaceful struggle for freedom.

Immediately after Cuba’s brutal act, I urged that differences on the bill be set aside so that the United States could speak in a single, strong voice. By acting swiftly—just 17 days after the attack—we are sending a powerful message to the Cuban regime that we do not and will not tolerate such conduct.

The Act also reaffirms our common goal of promoting a peaceful transition to democracy in Cuba by tightening the existing embargo while reaching out to the Cuban people. Our current efforts are beginning to yield results: they are depriving the Cuban regime of the hard currency it needs to maintain its grip on power; more importantly, they are empowering the agents of peaceful change on the island. This Act provides further support for the Administration’s efforts to strengthen independent organizations in Cuba intent on building democracy and respect for human rights. And I welcome its call for a plan to provide assistance to Cuba

under transitional and democratically elected governments.

Consistent with the Constitution, I interpret the Act as not derogating from the President’s authority to conduct foreign policy. A number of provisions—sections 104(a), 109(b), 113, 201, 202(e), and 202(f)—could be read to state the foreign policy of the United States, or would direct that particular diplomatic initiatives or other courses of action be taken with respect to foreign countries or governments. While I support the underlying intent of these sections, the President’s constitutional authority over foreign policy necessarily entails discretion over these matters. Accordingly, I will construe these provisions to the precatory.

The President must also be able to respond effectively to rapid changes in Cuba. This capability is necessary to ensure that we can advance our national interests in a manner that is conducive to a democratic transition in Cuba. Section 102(h), concerning the codification of the economic embargo, and the requirements for determining that a transitional or democratically elected government is in power, could be read to impose overly rigid constraints on the implementation of our foreign policy. I will continue to work with the Congress to obtain the flexibility needed if the United States is to be in a position to advance our shared interest in a rapid and peaceful transition to democracy in Cuba.

Finally, Title IV of the Act provides for the Secretary of State to deny visas to, and the Attorney General to exclude from the United States, certain persons who confiscate or traffic in expropriated property after the date of enactment of the Act. I understand that the provision was not intended to reach those coming to the United States or United Nations as diplomats. A categorical prohibition on the entry of all those who fall within the scope of section 401 could constrain the exercise of my exclusive authority under Article II of the Constitution to receive ambassadors and to conduct diplomacy. I am, therefore, directing the Secretary of State and the Attorney General to ensure that this provision is implemented in a way that does not interfere with my constitutional prerogatives and responsibilities.

The Cuban regime's lawless downing of two unarmed planes served as a harsh reminder of why a democratic Cuba is vitally important both to the Cuban and to the American people. The LIBERTAD Act, which I have signed into law in memory of the four victims of this cruel attack, reasserts our resolve to help carry the tide of democracy to the shores of Cuba.

William J. Clinton

The White House,
March 12, 1996.

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Remarks on Departure for the Summit of the Peacemakers

March 12, 1996

Good afternoon. As you know, I am on my way to Sharm al-Sheikh for an unprecedented summit in support of peace in the Middle East. I will meet there with the leaders of Israel, many of the Arab countries, Russia, Europe, and other nations to condemn the appalling acts of terror that have occurred in Israel in the last several days and to find ways to combat those who still seek to kill peace with violence.

The will of the people for peace is clearly greater than the forces of division. As we have seen in Northern Ireland and Bosnia and around the world, America must continue to support those who seek peace, and America will continue to support those who seek peace.

This summit of the peacemakers can be an important step in the process toward peace in the Middle East. After the summit I will also make a short visit to Israel to stand with the people there in their time of grief. I will also bring a message that, in this time of difficulty and in the battle against terror and the struggle for peace, Israel is not alone.

Before I leave I would also like to say something to the Congress. We face here urgent domestic issues that demand our attention and our action. This Friday the Government will shut down for a third time if Congress does not pass a funding bill. Today I

signed a temporary measure to ensure the creditworthiness of the United States until approximately the end of the month.

But to preserve the full faith and credit of America, Congress must pass a long-term straightforward debt extension. Other significant legislation also awaits action. We should pass a balanced budget plan that reflects our values and supports our economic growth.

The Congress and I have identified in common over \$700 billion in savings, more than enough to balance the budget in 7 years and to protect Medicare and Medicaid and our investments in education and the environment, and to provide modest but important tax relief. We should also pass a bipartisan welfare reform bill that genuinely moves people from welfare to work and strengthens families. And we should pass the Kennedy-Kassebaum health care bill so that working people do not lose their health insurance when they change jobs or when someone in the family gets sick.

Agreement on all these bills is clearly within reach. Our Nation must move forward. We cannot wait until after November to do the people's business. We have an obligation to keep the Government open and funded, and we have a distinct opportunity, if we act now, to pass the right kind of balanced budget, welfare reform, and health insurance reform.

I say again to Congress what I said in the State of the Union Address, and what I have said repeatedly since: My door is open. I am ready to meet with the leaders of the Congress at any time to move forward on any or all of these matters of national urgency. It is time to put partisan politics aside and work together in the national interest.

Spring is coming and we ought to give the American people a rebirth of bipartisan, productive accomplishment in this new spring.

Thank you very much.

NOTE: The President spoke at 1:46 p.m. on the South Lawn at the White House. A tape was not available for verification of the content of these remarks.